



NOTICE OF MEETING OF THE
CITY COUNCIL
OF
BUDA, TX
5:30 PM - Monday, September 20, 2021
Council Chambers Room 1098
405 E. Loop Street, Building 100
Buda, TX 78610

This notice is posted pursuant to the Texas Open Meetings Act. Notice is hereby given that a **Regular City Council Meeting** of the City of Buda, TX, will be held at which time the following subjects will be discussed and may be acted upon.

A. CALL TO ORDER

Please turn off your cell phone when you approach the podium.

B. INVOCATION

Pastor Doug Walker of The Legacy Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. ITEMS OF COMMUNITY INTEREST

F. PROCLAMATIONS

- F.1. Proclamation declaring September 15 - October 15, 2021 as National Hispanic Heritage Month, to be accepted by JR Gonzales, Executive Director of the Buda Chamber of Commerce**

[f1 Proclamation Letter for Nat'l Hispanic Heritage Month.pdf](#)

G. PUBLIC COMMENTS / PUBLIC TESTIMONY

Members of the public who wish to participate in Public Comment must complete a form and turn it into the City Clerk before the period provided for Public Comment is called for consideration by the presiding officer. Members of the public who wish to participate during the Public Testimony period provided for any item on the agenda must complete a form and turn it into the City Clerk before the item they wish to participate in is called for consideration by the presiding officer.

H. CONSENT AGENDA [PUBLIC TESTIMONY]

All matters listed under this item are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired by any Council Member on any item, that item will be removed from the consent agenda and will be considered separately.

- H.1. Approval of the September 7, 2021 City Council Minutes (City Clerk Alicia Ramirez)**

[2021-0907 DRAFT Minutes.pdf](#)

- H.2. Approval of the nomination and appointment of Mayor Lee Urbanovsky as the City of Buda Delegate to the Texas Municipal League (City Clerk Alicia Ramirez)**

[TML 2021 Resolutions Submitted to Membership.pdf](#)

- H.3. Approval of Buda Economic Development Corporation (BEDC) expense for a Small Business Grant to Glow Laser and Beauty in an amount not to exceed \$5800 (BEDC Executive Director Traci Anderson)**

- H.4. Approval of the revised Buda Economic Development Corporation (BEDC) FY2021-2022 Budget (BEDC Executive Director Traci Anderson)**

[FY 2021-2022 - Budget Amendment 9.13.2021.pdf](#)

- H.5. Authorization for City staff's continued delivery of administrative and professional services to the Buda 4B Corporation beyond the expiration of the current memorandum of understanding to allow additional time in the preparation of an amendment to apply to the next two fiscal years, which shall be presented for consideration for ratification with an effective date of October 1, 2021 once final (BEDC Executive Traci Anderson)**

- H.6. Adoption of a Resolution authorizing the revision of the Corporate Authorization Resolution to allow the Mayor, City Manager, City Clerk, and Finance Director to exercise certain powers of the resolution regarding all the financial institution accounts held by the City (City Clerk Alicia Ramirez)**

[Resolution - Wells Fargo Authorized Representatives.pdf](#)

- H.7. Submittal of the Fiscal Year 2021 Third Quarter Financial Update (Interim Finance Director Martie Simpson)**

[h7 3rd Quarter Financial Update.pdf](#)

I. PUBLIC HEARINGS

- I.1. Hold a public hearing on the proposed Fiscal Year 2022 Tax Rate (Interim Finance Director Martie Simpson)**

[FY22 Tax Rate Public Notice Draft.pdf](#)

- I.2. Hold a public hearing on the proposed Fiscal Year 2022 Budget (Interim Finance Director Martie Simpson)**

[Notice Of Budget Public Hearing.pdf](#)

J. REGULAR AGENDA

- J.1. Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance approving and adopting a budget for operating the municipal government of the City of Buda for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022; adopting the Capital**

Improvements Plan; adopting and amending Appendix A of the Code of Ordinances entitled Fee Schedule; adopting the Employee Compensation Plans; appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness; repealing all ordinances and appropriations in conflict with the provisions of the ordinance; establishing an effective date; and providing for filing of the budget (Interim Finance Director Martie Simpson) [PUBLIC TESTIMONY]

[j1 2021 Budget Ordinance 1 .pdf](#)

[Exhibit A - Five Year CIP.pdf](#)

[Exhibit B FY22 Buda Fee Schedule.pdf](#)

[Exhibit C Buda Pay Plan.pdf](#)

[Exhibit C Buda PD Step Pay Plan.pdf](#)

[Exhibit C Buda Parks and PW Pay Plan.pdf](#)

[Exhibit C Buda PD Certification Incentive Monthly Pay.pdf](#)

- J.2.** Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance approving and adopting a Tax Rate of \$0.3423 per \$100 of valuation (consisting of two components, the Maintenance & Operation [M&O] Rate of \$0.1087 per \$100 valuation for the 2021 tax year and the I&S rate [also called the Debt Service Rate or Sinking Fund Rate] of \$0.2336 per \$100 valuation for the 2021 tax year, each of which must be approved separately) and levying a tax upon all property subject to taxation within the City of Buda, Texas, for the 2021 Tax Year for the use and support of the municipal government of the City of Buda for the Fiscal Year beginning October 1, 2021, and ending September 30, 2022; appropriating said levy amount of the various funds and items for which revenue must be raised including providing a Sinking Fund for the retirement of the bonded debt of the City; and establishing an effective date (Interim Finance Director Martie Simpson) [PUBLIC TESTIMONY]

[j2 2021 Tax Rate Ordinance for FY22.pdf](#)

- J.3.** Deliberation and possible action to ratify the property tax increase (Maintenance & Operation [M&O] Rate of \$0.1087 per \$100 valuation for the 2021 tax year and the I&S rate [also called the Debt Service Rate or Sinking Fund Rate] of \$0.2336 per \$100 valuation as reflected in the Fiscal Year 2022 Budget in accordance with Local Government Code 102.007(c) (Interim Finance Director Martie Simpson) [PUBLIC TESTIMONY]

- J.4.** Deliberation and possible action to consider an Ordinance on first and final reading and to adopt said Ordinance amending the Fiscal Year 2021 Budget (Interim Finance Director Martie Simpson) [PUBLIC TESTIMONY]

[j4 Proposed Budget Document Link.pdf](#)

[j4 COB Ord Amending Budget for FY21.pdf](#)

[FY 21 Proj Budget Amendment.pdf](#)

K. WORKSHOP

- K.1.** Workshop discussion on Garison Park scope of work (Parks and Recreation Director Greg Olmer)

[Garison Design WS ppt.pdf](#)

L. REGULAR AGENDA

- L.1. Deliberation and possible action to adopt the Parks Master Plan (Parks and Recreation Director Greg Olmer and Jordan Maddox of Halff and Associates) [PUBLIC TESTIMONY]**

[Draft Parks Master Plan.pdf](#)
[l1 Buda Adoption Council 09.20.pdf](#)

- L.2. Deliberation and possible action to accept Change Proposal Requests #24 through #30 and execution of Change Order #4 in an aggregate amount of \$135,507.00 under the terms of the construction contract with Archer Western Construction, LLC, for the City of Buda Wastewater Treatment Plant Phase III Expansion and to authorize the City Manager to execute said requests (City Engineer John Nett; Shelby Eckols, AECOM) [PUBLIC TESTIMONY]**

[AECOM Buda WWTP Council Update \(092021\).pptx](#)
[Change Order #4 \(091421 to City and AW\) - Signed by AW.pdf](#)
[219029 Buda WWTP Expansion- AW Pay App #25 - 2021-7-31 Schedule of Values.pdf](#)
[219029 Buda WWTP Expansion- AW Pay App #25 - 2021-7-31 Allowance Tracking.pdf](#)

- L.3. Deliberation and possible action to authorize the City Manager to execute Supplement #6 to the professional service agreement with AECOM for the Buda Wastewater Treatment Plant Phase III Expansion Project (City Engineer John Nett; Shelby Echols, AECOM) [PUBLIC TESTIMONY]**

[AECOM Buda WWTP Ph III Expansion SA6 \(AECOM Signed 090221\).pdf](#)
[OP199888 Buda WWTP Force Main Alternate Route Geo Proposal.pdf](#)

- L.4. Deliberation and possible action to adopt a Resolution requesting the Texas Department of Transportation initiate the process to remove portions of RM 967 (from FM 1626 to 0.185 mile north of the intersection with I-35) and FM 2770 (from RM 967 to 0.127 mile north of the intersection with Robert S. Light) from the State Highway System and convey to the City of Buda for future ownership of the right-of-way and maintenance) (Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[Map Depicting Roadway Swap](#)
[k4 BudaRM967-RSL ROWSwap Resolution.pdf](#)
[l4 TxDOT Turn Back Resolution.pdf](#)

- L.5. Deliberation and possible action to provide notice of termination of contract to McCreary, Veselka, Bragg and Allen, P. C. (MVBA) for legal services related to the enforcement of the collection of delinquent municipal court fines, fees, court costs, restitution, debts and accounts receivable (Court Administrator Sondre Crabtree and Deputy City Manager Micah Grau) [PUBLIC TESTIMONY]**

[MVBA McCreary Veselka Bragg Allen - Municipal Court Collection 2012-1030.pdf](#)

- L.6. Mayor's report on Emergency Management Director activities related to the declared state of disaster regarding COVID-19 and discuss and consider any action or direction considered appropriate and necessary by the City Council to respond to the current State of Disaster as renewed by the Texas Governor**

M. EXECUTIVE SESSION

- M.1. Council will recess regular session and convene into executive session pursuant Texas Government pursuant to Section 551.071, deliberate and seek legal advice regarding (1) settlement negotiations with**

Hartford on land use matters in connection with the Garlic Creek Commons commercial development located in Buda Texas at the intersection of RM 976 and RM 1626; (2) the sales tax sharing agreement between the City of Buda, Texas and the Hays County Emergency Services District No. 8; (3) regarding the 2021 State Comptroller Sales Tax Report for Buda, Texas; (4) the application of Texas Local Government Code Section 501.007 to administrative and professional services provided by the city to the Buda 4B Corporation; and (5)) the duties and authority of the City Council pursuant to Texas Local Government Code Chapter 501 and 505.

N. RECONVENE INTO REGULAR SESSION AND TAKE ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION.

O. CITY MANAGER'S REPORT

COVID -19, 2014 & 2021 Bond Program, Capital Improvement Projects, Developments, Drainage Projects, Engineering Department, Finance Department, General/Special Election, Grant Related Projects, Human Resources, Law Enforcement, Legislative Update, Library Projects, Main Street Program, Parks & Recreation Department, Planning Department, Road Projects, Status-Future Agenda Request, Special Projects, Tourism Projects, Transportation, Wastewater Projects, and Water Projects (City Manager Kenneth Williams)

P. CITY COUNCIL'S BOARD AND COMMITTEE REPORTS

*Alliance Regional Water Authority (Urbanovsky)
Buda Economic Development Corporation (Ture & Davidson)
Capital Area Council of Governments General Assembly (Urbanovsky)
Capital Area Council of Governments Clean Air Coalition (Ture)
Combined Emergency Communication Center (Urbanovsky)
Dupre Local Government Corporation (Davidson, Smith, & Urbanovsky)
Greater San Marcos Partnership (Urbanovsky)*

*City of Buda Audit Committee (Cummings, Davidson, & Ture)
City of Buda Information Technology Committee (Bryant, Daugereau, & Smith)
City of Buda Board & Commission Nomination Committee (Bryant, Cummings, & Daugereau)
City of Buda City Park Planning/Programming Ad-Hoc Committee (Daugereau, Smith, & Ture)
City of Buda Planning Mobile Food Vendor Ad-hoc Committee (Davidson)
City of Buda Water/Wastewater Committee (Davidson, Daugereau, & Urbanovsky)*

Q. CITY COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

Q.1. Update on Pending Items requested by City Council

[Pending Items.pdf](#)

R. ADJOURNMENT

Requests for accommodations must be made 48 hours prior to the meeting. Please contact the City Clerk at (512) 523-1014, or FAX (512) 641-5817 for information or assistance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Governing Body of the City of Buda, was posted on the bulletin board in front of Buda City Hall, which is readily accessible to the public at all times, by 5:00 pm on September 17, 2021.



/s/

Alicia Ramirez
City Clerk

Meetings scheduled in the Council Chambers are set up to publicly broadcast meetings. You may be audio and video recorded while in this facility. Meetings scheduled in other City Facilities are set up to publicly audio record meetings. You may be audio recorded in the other City Facilities.

In accordance with Article III, Section 3.10, of the Official Code of the City of Buda, the minutes of this meeting consist of the preceding Minute Record and the Supplemental Minute Record. Details on Council meetings may be obtained from the City Clerk's Office, or video of the entire meeting may be downloaded from the website. (Portions of the Supplemental Minute Record video tape recording may be distorted due to equipment malfunction or other uncontrollable factors.)

A Public Comment period will be provided to allow for members of the public to participate and speak to the City Council on any topic that is not on the meeting agenda. At this time, comments will be taken from the audience on non-agenda related topics. A Public Testimony period will be provided at each meeting of the City Council to allow members of the public to participate and speak to the City Council on any topic that is on the meeting agenda, prior to any vote on the matter up for consideration. During these periods, the presiding officer shall routinely provide three (3) minutes to each person who desires to speak but may provide no less than one (1) minute and no more than five (5) minutes to each person addressing the City Council. The amount of time provided to each person, if altered by the presiding officer, shall be announced by the presiding officer prior to recognizing persons to speak and shall be objectively applied to all persons speaking during Public Comment or each Public Testimony period.

The City Council may retire to executive session any time between the meeting's opening and adjournment for the purpose of consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code; discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code; deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code; deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code; and/or deliberation regarding the deployment, or specific occasions for implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code. Action, if any, will be taken in open session.

This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the body, board, commission and/or committee. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible meeting of the other body, board, commission and/or committee, whose members may be in attendance, if such numbers constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.